

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
JVM HOLDINGS LLC, :
:
Plaintiff, :
:
- against - : 22-CV-6098 (VSB) (RWL)
:
iAERO GROUP HOLDCO 3 LLC. : **OPINION & ORDER**
:
Defendant. :
:
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VERNON S. BRODERICK, United States District Judge:

Before me is Magistrate Judge Robert W. Lehrburger's unchallenged Report and Recommendation, entered on January 26, 2023, after I awarded Plaintiff default judgment and referred this matter for an inquest on damages (the "Report"). (Doc. 31 ("R&R").) Judge Lehrburger recommends that Plaintiff be awarded (1) \$840,000 in damages; plus (2) prejudgment interest through December 31, 2022 totaling \$91,138.58; plus (3) \$272.87 per day starting January 1, 2023 until entry of judgment. (*Id.* at 9.)

In reviewing a magistrate judge's report and recommendation, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Parties may raise specific, written objections to the report and recommendation within 14 days of being served with a copy of the report. *Id.*; see also Fed. R. Civ. P. 72(b)(2). When a party submits a timely objection, a district court reviews de novo the parts of the report and recommendation to which the party objected. 28 U.S.C. § 636(b)(1)(C); see also Fed. R. Civ. P. 72(b)(3). "When neither party submits an objection to a report and recommendation, or any portion thereof, a district court reviews the report and recommendation for clear error." *Santana v. Comm'r of Soc. Sec.*, 17-CV-2648 (VSB) (BCM),

2019 WL 2326214, at *1 (S.D.N.Y. May 30, 2019); *Marte v. Berryhill*, 17-CV-3567 (VSB) (JLC), 2018 WL 5255170, at *1 (S.D.N.Y. Oct. 22, 2018) (same).

Judge Lehrburger notified the parties that “[p]ursuant to 28 U.S.C. § 636(b)(1) and Rules 72, 6(a), and 6(d) of the Federal Rules Of Civil Procedure, [they had] fourteen (14) days to file written objections to [his] Report And Recommendation.” (R&R 10.) Here, no Defendant ever appeared or filed an objection to the Report, and Plaintiff filed a certificate of service showing that the Report was sent to Defendant by overnight mail on January 30, 2023. (Doc. 32.) Accordingly, I have reviewed Judge Lehrburger’s thorough and well-reasoned Report for clear error and, after careful review, found none. Accordingly, I ADOPT the Report in its entirety.

The Clerk of Court is respectfully directed to enter judgment per the terms stated in the Report and to terminate this action.

SO ORDERED.

Dated: June 6, 2023
New York, New York


Vernon S. Broderick
Vernon S. Broderick
United States District Judge